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Child Care or Kindergarten?

Kindergarten is not considered child care for licensing purposes. Schools only need a child care license if they provide care before or after school. However, if a child receives care after the release of ½ day kindergarten, this may require a license unless certain exemptions apply (ARS 36- 884). Schools may need a license if child care is offered at the school site during school hours for children younger than school age.

The Department of Health Services, Bureau of Child Care Licensing, licenses child care centers and child care group homes providing child care services. ARS § 36-884.3 and § 36-885.4 provide an exemption for public and private schools.

ARS § 36-884.3. A unit of the public school system, including specialized professional services provided by school districts for the sole purpose of meeting mandated requirements to address the physical and mental impairments prescribed in section 15-771. If a public school provides child care other than during the school's regular hours or for children who are not regularly enrolled in kindergarten programs or grades one through twelve, that portion of the school that provides child care is subject to standards of care prescribed pursuant to section 36-883.04.

ARS § 36-884.4. A regularly organized private school engaged in an educational program which may be attended in substitution for public school pursuant to section 15-802. If the school provides child care beyond regular public school hours or for children who are not regularly enrolled in kindergarten programs or grades one through twelve, that portion of the school providing such care shall be considered a child care facility and is subject to the provisions of this article.

If you have any questions about whether or not the facility should be licensed, please contact the Bureau of Child Care Licensing at:

Phoenix:
602-364-2539

Tucson:
520-628-6541

Toll-free:
800-615-8555

Email:
BCCL@azdhs.gov